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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/517,517

12/13/2004

Erwin Demmeler

2732-151

7119

6449

7590

11/21/2007

ROTHWELL, FIGG, ERNST & MANBECK, P.C.

1425 K STREET, N.W.

SUITE 800

WASHINGTON, DC 20005

EXAMINER

PAIK, STEVE S

ART UNIT

PAPER NUMBER

2876

NOTIFICATION DATE

DELIVERY MODE

11/21/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTO-PAT-Email@rfem.com

## Office Action Summary

Application No.

10/517,517

Applicant(s)

DEMMELETER ET AL.

Examiner

Steven S. Paik

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-9 and 12-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3-9 and 12-15 is/are allowed.
- 6) ☒ Claim(s) 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. Receipt is acknowledged of the Preliminary Amendment filed September 12, 2007. The applicant amended claims 1, 3-5, 7-9, and 12-15 and cancelled claims 2, 10, and 11, and added a new claim 16.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 16 is rejected under 35 U.S.C. 102(e) as being anticipated by Peebles et al. (US 2002/0003163 A1).

Re claim 16, Peebles et al. disclose an apparatus (ATM10) for processing bank notes present as separate deposits, comprising

a bank note processing machine (ATM 10) having a singler (The notes are stripped from an escrow unit by a bill picker, and fed singly into the media flow path), a transport system (Fig. 1 shows different transporting paths), a checking device (sensor 20 and validation and identification module 22), a delivery device (Paths A-E) and a control device,

a transport device ([0056]) for transporting carriers containing the deposits to the singler, a sensor (20) for detecting at least one of the beginning or end of each deposit, and

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a filling position at which the bank notes of each deposit are fed into a separate carrier (three accepted media storage bins 16), each carrier transporting the bank notes of one deposit to the singler for processing ([0055]).

***Allowable Subject Matter***

4. Claims 1, 3-9, and 12-15 are allowable over cited prior arts.

5. The following is a statement of reasons for the indication of allowable subject matter:

Peebles fails to disclose, teach, or fairly suggests all of the features recited in the amended claims 1 and 9. Dependent claims 3-8 and 12-15 are allowable due to their dependency from claims 1 and 9, respectively.

***Response to Arguments***

6. Applicant's arguments filed September 12, 2007 have been fully considered but they are not persuasive.

Regarding a newly added claim 16, Peebles disclose an apparatus (ATM10) for processing bank notes present as separate deposits, comprising a bank note processing machine (ATM 10) having a singler (The notes are stripped from an escrow unit by a bill picker, and fed singly into the media flow path), a transport system (Fig. 1 shows different transporting paths), a checking device (sensor 20 and validation and identification module 22), a delivery device (Paths A-E) and a control device, a transport device ([0056]) for transporting carriers containing the deposits to the singler, a sensor (20) for detecting at least one of the beginning or end of each deposit (The step of determining whether the deposited media is to be accepted may comprise the steps of identifying any media failing validation, and not accepting a deposit containing failed media. The acceptance determination step may alternatively or in addition comprise the

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step of requesting a user to confirm the deposit. For example, the user may be informed of the value of the deposit as determined by the means for validating media, and asked to confirm this value; if the user disagrees with the validation, they may cancel the transaction at this stage.

Unless the ATM detects the end of a deposit, it will not make sense to send a request to a user to confirm the deposit.), and a filling position at which the bank notes of each deposit are fed into a separate carrier (three accepted media is transferred to one of a plurality of different accepted media storage locations), each carrier transporting the bank notes of one deposit to the singler for processing ([0055]-[0060]).

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven S. Paik whose telephone number is 571-272-2404. The examiner can normally be reached on Monday - Friday 6:30a-3:00p (Maxi-Flex\*).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Steven S. Paik  
Primary Examiner  
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ssp